IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE SIXTH DAY OF AUGUST
TWO THOUSAND AND FOUR

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PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 13359 of 2004

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Between:

Sai Trinadh Video Games, Shop No-2 Nai brahmana

samskhema sangham near Yadava High School, Old

Guntur, Guntur rep by Proprietor B. Seshu Babu
S/o Babu Rao R/o Guntur, Guntur District

..... PETITIONER

AND

-

1 The Superintendent of Police, Guntur District, Guntur
2 The Station House Officer, Old Guntur (Law & Order)

Police Station Guntur, Guntur District
3 The District Collector, Guntur District Guntur

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or direction more particularly one in the nature of Writ of Mandamus or any other appropriate Writ, declaring the action of the respondents in interfering with the petitioner video games shop and for prosecuting them for not possessing the licences to run the said video games shop under A.P. Games Act as illegal, arbitrary and unconstitutional.

Counsel for the Petitioner: MR.D.KRISHNA PRASAD

Counsel for the Respondents: GP FOR HOME

The Court made the following ORDER:

This writ petition is filed seeking a declaration that the alleged action of the respondents in interfering with the activities of the petitioner's Vedio Games Shop and for prosecuting it for not possessing the licence to run the said shop under the A.P. Games Act as arbitrary and illegal.

Heard learned counsel for the petitioner and learned Government Pleader for Home.

It is represented by both the learned counsel that the issue involved in this writ petition is squarely covered by a decision of this court in W.P.No.16596 of 2003, which was disposed of with the following directions.

> "1. The petitioner who is running the games center for playing video games is not required to take out any licence under the A.P. Gambling Act;
>
> 2. It is not suggested that the licence is required under the Provisions of any other Act;
>
> 3. The Respondent-Police Officers have no power to interfere with the running of centers for playing video games on the electronic equipment, on the ground that the petitioner does not possess the licence; and
>
> 4. If it is felt that the petitioner has contravened any of the provisions of the A.P. Gambling Act, it is open for the authorities to take action to prosecute the petitioner."

Accordingly, this Writ Petition is disposed of in terms of the directions in

the above writ petition. No costs.

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G. ROHINI, J.

6th August, 2004.

Js.

ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

1 The Superintendent of Police, Guntur District, Guntur
2 The Station House Officer, Old Guntur (Law & Order)

Police Station Guntur, Guntur District
3 The District Collector, Guntur District Guntur

4 Two CCs to G.P. for Home, High Court Buildings,

Hyderabad.

5 2 CD copies.